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HOUSE BILL 233

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Andy Nunez

AN ACT

RELATING TO CRIMINAL LAW; AMENDING THE ANTITERRORISM ACT TO PROHIBIT TRESPASS ON AGRICULTURAL FACILITIES TO CONTAMINATE, THREATEN OR DESTROY THE FOOD SUPPLY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-20A-3 NMSA 1978 (being Laws 1990, Chapter 66, Section 3) is amended to read:

"30-20A-3. UNLAWFUL ACTS--PENALTY.--

A. Any person who teaches or demonstrates the use, application or making of any firearm, destructive device or technique capable of causing injury or death to any person with the intent that the knowledge or skill taught, demonstrated or gained be unlawfully used in furtherance of a civil disorder is guilty of a fourth degree felony and shall be sentenced under the provisions of the Criminal Sentencing Act to imprisonment

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1 for a definite term of eighteen months or, in the discretion of
2 the sentencing court, to a fine of not more than five thousand
3 dollars (\$5,000) or both.

4 B. Any person who trains, practices or receives
5 instruction in the use of any firearm, destructive device or
6 technique capable of causing injury or death to any person with
7 the intent that the knowledge or skill taught, demonstrated or
8 gained be unlawfully used in furtherance of a civil disorder is
9 guilty of a fourth degree felony and shall be sentenced under
10 the provisions of the Criminal Sentencing Act to imprisonment
11 for a definite term of eighteen months or, in the discretion of
12 the sentencing court, to a fine of not more than five thousand
13 dollars (\$5,000) or both.

14 C. Any person who commits trespass on agricultural
15 land or facilities to contaminate, threaten or destroy the food
16 supply or disrupt agricultural operations to cause public fear
17 is guilty of a fourth degree felony and shall be sentenced
18 under the provisions of the Criminal Sentencing Act to
19 imprisonment for a definite term of eighteen months or, in the
20 discretion of the sentencing court, to a fine of not more than
21 five thousand dollars (\$5,000), or both."